

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**JEROME ROSS and
ERNESTINE ROSS,**

Plaintiffs,

V.

**PROGRESSIVE SPECIALTY
INSURANCE COMPANY,**

Defendant.

CIVIL ACTION NO.: 2:07-cv-792-WKW

**MOTION TO EXTEND TIME TO RESPOND TO
DEFENDANT'S MOTION FOR SUMMARY JUDGEMENT**

COMES now the Plaintiff, by and through counsel, and moves this Honorable Court for an Order allowing Plaintiff to extend time to respond to Defendant's Motion for Summary Judgement in this case, and as grounds therefore, shows as follows:

1. Plaintiff first came to see Attorney in March 14, 2008.
2. Plaintiff had hearing scheduled in Circuit Court of Pike County on March 19, 2008.
3. The undersigned Attorney declined representation at that time due to the fact that Mr. Folmer had not been released as counsel for Plaintiff's workers compensation claim.
4. The Plaintiff called again April 21, 2008 and made an appointment for April 28, 2008.
5. The Plaintiff, in making the appointment failed to state that a response to the Defendant's Motion for Summary Judgement was due on April 30, 2008.
6. That the undersigned Attorney due to time constraints is unable to respond to the Defendant's motion by April 30, 2008 as required in the courts order.

WHEREFORE, PREMISES CONSIDERED, this Attorney requests this Court enter an Order allowing the Plaintiff an extension of time in order to respond to said Motion of Summary Judgment.


WILLIAM K. ABELL
Attorney for Plaintiff

OF COUNSEL:

Abell & Associates
4171 Lomac Street, Suite D
Montgomery, AL 36106
(334) 271-8008

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing document to all counsel of record, as listed below, by electronically filing, on this the 28th day of April, 2008.


OF COUNSEL

Larry Bradford, Esq.
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